

LEARNING RIGHTS LAW CENTER
JANEEN STEEL (SBN 211401)
PATRICIA VAN DYKE (SBN 160033)
janeen@learningrights.org
patsy@learningrights.org
1625 W. Olympic Blvd, Suite 500
Los Angeles, CA 90015-4684
Phone: (213) 489-4030
Fax: (213) 489-4033

DISABILITY RIGHTS ADVOCATES
STUART SEABORN (SBN 198590)
MELISSA RIESS (SBN 295959)
seaborn@dralegal.org
mriess@dralegal.org
2001 Center St., 4th Fl.
Berkeley, CA 94704
Phone: (510) 665-8644
Fax: (510) 665-8511

LAW OFFICE OF SHAWNA L. PARKS
SHAWNA L. PARKS (SBN 208301)
sparks@parks-law-office.com
4470 W. Sunset Blvd., Ste. 107-347
Los Angeles, CA 90027
Phone/Fax: (323) 389-9239

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

J.R., a minor, by and through her
guardian ad litem, Janelle McCammack
et al.,

Plaintiffs,

v.

OXNARD SCHOOL DISTRICT, *et al.*,

Defendants.

) Case No.: 2:17-cv-04304-JAK-FFM

)
) **Declaration of Shawna L. Parks In**
) **Support of Plaintiffs' Motion for**
) **Partial Summary Judgment**

) **Date: July 27, 2020**

) **Time: 8:30 a.m.**

) **Court:10B**
)

First Street Courthouse

Declaration of Shawna Parks

I, Shawna Parks, declare as follows:

1. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently about these facts.

2. I am the principal attorney in the Law Office of Shawna L. Parks. I am a member of the State Bar of California and am admitted to practice before this court. I am counsel for Plaintiffs and putative class in this matter.

3. Attached hereto as Exhibit A is a true and correct copy of excerpts of the Deposition of Amelia Sugden, taken on June 12, 2018.

4. Attached hereto as Exhibit B is a true and correct copy of excerpts of the Deposition of Katrina Madden, taken on January 28, 2020.

5. Attached hereto as Exhibit C is a true and correct copy of the order from the Office of Administrative hearings in Case No. 2016100009, which was M.B.'s due process case against Oxnard School District.

6. Attached hereto as Exhibit D is a true and correct copy of the order from Office of Administrative hearings in Case No. 2016091036, which was I.G.'s due process case against the District.

7. Attached hereto as Exhibit E is a true and correct copy of the order from Office of Administrative hearings in Case No. 2016100053, which was J.R.'s due process case against the District.

8. Attached hereto as Exhibit F is a true and correct copy of the order from Office of Administrative hearings in Case No. 2018080844, which was I.H.'s due process case against the District.

9. Attached hereto as Exhibit G is a true and correct copy of the order from Office of Administrative hearings in Case No. 2018090070, which was F.S.'s due process case against the District.

1 10. Attached hereto as Exhibit H is a true and correct copy of the order from
2 Office of Administrative hearings in Case No. 2019120540, which was M.L.'s due
3 process case against the District.

4 11. Attached hereto as Exhibit I is a true and correct copy of excerpts of the
5 Administrative record in Case No. 2018080844, containing excerpts of Margie Llanes
6 testimony.

7 12. Attached hereto as Exhibit J is a true and correct copy of excerpts of the
8 Administrative record in Case No. 2018080844, containing excerpts of Pablo Ordaz
9 testimony.

10 13. Attached hereto as Exhibit K is a true and correct copy of the
11 Administrative record in Case No. 2018080844, containing excerpts of Shannon Billings
12 testimony.

13 14. Attached hereto as Exhibit L is a true and correct copy of the
14 Administrative record in Case No. 2018080844, containing excerpts of Michell Moran
15 testimony.

16 15. Attached hereto as Exhibit M is a true and correct copy of the June 2018
17 copy of the Special Education Policy Manual that was produced by Defendants in this
18 case.

19 16. Attached hereto as Exhibit N is a true and correct copy of the November
20 2018 Special Education Policy Manual that was produced by Defendants in this case.

21 17. Attached hereto as Exhibit O is a true and correct copy of an email and
22 attachment sent by Wayne Saddler, sent on November 8, 2018, that was produced by
23 Defendants in this case.

24 18. Attached hereto as Exhibit P is a true and correct copy of excerpts of the
25 deposition of Naomi Cortez, taken on December 19, 2019.

26 19. Attached hereto as Exhibit Q is a true and correct copy of excerpts of the
27 deposition of Jennifer Willis, taken on January 16, 2020.

1 20. Attached hereto as Exhibit R is a true and correct copy of excerpts of the
2 deposition of Fanny Fitz, taken on January 16, 2020.

3 21. Attached hereto as Exhibit S is a true and correct copy of excerpts of the
4 deposition of Steve Tobey, taken on January 21, 2020.

5 22. Attached hereto as Exhibit T is a true and correct copy of Plaintiffs
6 deposition notice issued pursuant to FRCP 30(b)(6) for Oxnard School District.

7 23. Attached hereto as Exhibit U is a true and correct copy of notes from
8 Student Success Team meetings for M.L. These District records were produced to
9 Plaintiffs' counsel by Oxnard School District pursuant to an education records request.

10 24. Attached hereto as Exhibit V is a true and correct copy of cumulative file
11 notes and report cards for M.L. These District records were produced to Plaintiffs'
12 counsel by Oxnard School District pursuant to an education records request.

13 25. Attached hereto as Exhibit W is a true and correct copy of the initial
14 psychoeducational assessment for purposes of evaluation for special education services
15 for M.L. These District records were produced to Plaintiffs' counsel by Oxnard School
16 District pursuant to an education records request.

17 26. Attached hereto as Exhibit X is a true and correct copy of M.L.'s initial
18 Individualized Education Plan. This District record was produced to counsel as part of
19 the IEP meeting process.

20 27. Attached hereto as Exhibit Y is a true and correct copy of the assessment
21 plan from the District. This District record was produced to Plaintiffs' counsel by
22 Oxnard School District pursuant to an education records request.

23 28. Attached hereto as Exhibit Z is a true and correct copy of the initial
24 Individualized Education Plan for F.S. These District records were produced to
25 Plaintiffs' counsel by Oxnard School District pursuant to an education records request.
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1 29. Attached hereto as Exhibit AA is a true and correct copy of meeting notes
2 from Student Success Team meetings for F.S. These District records were produced to
3 Plaintiffs' counsel by Oxnard School District pursuant to an education records request.

4 30. Attached hereto as Exhibit BB is a true and correct copy of the initial
5 psychoeducational assessment for purposes of evaluation for special education services
6 for F.S. These District records were produced to Plaintiffs' counsel by Oxnard School
7 District pursuant to an education records request.

8 31. Attached hereto as Exhibit CC is a true and correct copy of meeting notes
9 from Student Success Team meetings for J.R. These District records were produced to
10 Plaintiffs' counsel by Oxnard School District pursuant to an education records request.

11 32. Attached hereto as Exhibit DD is a true and correct copy of the initial
12 Individualized Education Plan for J.R. These District records were produced to
13 Plaintiffs' counsel by Oxnard School District pursuant to counsels' participation in the
14 IEP.

15 33. Attached hereto as Exhibit EE is a true and correct copy of the assessment
16 plan for O.L. This District record was produced to Plaintiffs' counsel by Oxnard School
17 District pursuant to an education records request.

18 34. Attached hereto as Exhibit FF is a true and correct copy of the initial
19 Individualized Education Plan for O.L. These District records were produced to
20 Plaintiffs' counsel by Oxnard School District pursuant to an education records request.

21 35. Attached hereto as Exhibit GG is a true and correct copy of a note sent from
22 O.L.'s Physician's Assistant to the school. This record was produced to Plaintiffs'
23 counsel by Oxnard School District pursuant to an education records request.

24 36. Attached hereto as Exhibit HH is a true and correct copy of notes from
25 Student Success Team meetings for O.L. These District records were produced to
26 Plaintiffs' counsel by Oxnard School District pursuant to an education records request.

1 37. Attached hereto as Exhibit II is a true and correct copy of O.L.'s report
2 cards. These District records were produced to Plaintiffs' counsel by Oxnard School
3 District pursuant to an education records request.

4 38. Attached hereto as Exhibit JJ is a true and correct copy of the initial
5 psychoeducational assessment for O.L. for purposes of evaluation for special education
6 services. These District records were produced to Plaintiffs' counsel by Oxnard School
7 District pursuant to an education records request.

8 39. Attached hereto as Exhibit KK is a true and correct copy of the initial
9 Individualized Education Plan for O.L. These District records were produced to
10 Plaintiffs' counsel by Oxnard School District pursuant to an education records request.

11 40. Attached hereto as Exhibit LL is a true and correct copy of the initial
12 Individualized Education Plan from Oxnard Union High School District for D.C. These
13 District records were produced to Plaintiffs' counsel by Oxnard Union High School
14 District as part of counsels' participation in the IEP process.

15 41. Attached hereto as Exhibit MM is a true and correct copy of the assessment
16 plan for D.C. from Oxnard School District. This District record was produced to
17 Plaintiffs' counsel by Oxnard School District pursuant to an education records request.

18 42. Attached hereto as Exhibit NN is a true and correct copy of the initial
19 psychoeducational assessment for D.C. for purposes of evaluating special education
20 services by Oxnard School District. These District records were produced to Plaintiffs'
21 counsel by Oxnard School District pursuant to an education records request.

22 43. Attached hereto as Exhibit OO is a true and correct copy of the initial
23 psychoeducational assessment for D.C. for purposes of evaluating special education
24 services by Oxnard Union High School District. This District record was produced as
25 part of counsels' participation in the IEP process.

26 44. Attached hereto as Exhibit PP is a true and correct copy of total enrollment
27 data, which I obtained from Dataquest and which includes data from the most recent
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1 year available at the time of the filing of this motion. The California Department of
2 Education's DataQuest is the web-based data reporting system for the State of
3 California, with reporting on state-wide and district-wide data sets, among others. The
4 main page for DataQuest is located at <https://dq.cde.ca.gov/dataquest/>. The data
5 available in DataQuest reports, inter alia, includes total enrollment and special education
6 enrollment by district and state-wide. The data that was originally attached as Exhibit B
7 to the Declaration of Peter Leone (Docket No. 43) was pulled from the California
8 Department of Education's DataQuest page. The data that was attached to my prior
9 declaration in conjunction with Plaintiffs' class certification motion (Docket No. 152)
10 was also pulled from this page.

11 45. Attached hereto as Exhibit QQ is a true and correct copy of special
12 education enrollment data, which I obtained from Dataquest and which includes data
13 from the most recent year available at the time of the filing of this motion. This is the
14 same data source as that relied on by Dr. Leone.

15 46. Attached hereto as Exhibit RR is a true and correct copy of is a chart
16 reflecting this data, as updated through the 2018-2019 school year, prepared using the
17 data in Exhibits PP and QQ.

18 47. Attached hereto as Exhibit SS is a true and correct copy of Defendants'
19 Supplemental Responses to Plaintiffs' First Set of Interrogatories, served January 7,
20 2020.

21 48. Attached hereto as Exhibit TT is a true and correct copy of a chart reflecting
22 sources of referrals that is based on the data contained in Defendants' Supplemental
23 Responses to Plaintiffs' First Set of Interrogatories, served January 7, 2020, Exhibit SS.

24 49. Attached hereto as Exhibit UU is a true and correct copy of a chart
25 reflecting relative rates of special education enrollment, prepared using the California
26 Department of Education data included in RR.

1 50. Attached hereto as Exhibit VV is a true and correct copy of the Deposition
2 of Chris Ridge, taken on January 22, 2020.

3 51. Attached hereto as Exhibit WW is a true and correct copy of the California
4 Department of Education's determination in Case No. Case S-0730-17/18.

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6 Executed this 13th day of March 2020, in Los Angeles, California.

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10 Shawna L. Parks
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